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TELEFACSIMILE LETTER FROM  
**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036  
Telephone Number (212) 790-9090  
Fax Nos.: (212) 869-9741/8864

TO: Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTN: Examiner McKelvey

FAX NO.: 1-703-305-7939

FROM: ADRIANE M. ANTLER  
LAWRENCE S. GRAHAM

PAGES: 20 + coversheet

DATE: November 6, 2002

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Application of: Webster et al.

Confirmation No.: 5537

Application No.: 09/723,326

Group Art Unit: 1632

Filed: November 28, 2000

Examiner: T. McKelvey

For: MOLECULAR SWITCH FOR  
REGULATING MAMMALIAN GENE  
EXPRESSION

Attorney Docket No.: 10989-004-999

Transmitted herewith for filing in connection with the above-referenced application  
are:

1. Preliminary Amendment under 37 C.F.R. 1.115; and
2. Fee Transmittal Sheet

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission  
on November 6, 2002 to facsimile telephone number 703-305-7939.

*By: Lawrence S. Graham Reg. No. 49,020*  
*Adriane M. Antler*  
Adriane M. Antler

32,605

(Reg. No.)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WEBSTER et al.

Confirmation No.: 5537

Application No.: 09/723,326

Group Art Unit: 1632

Filed: November 28, 2000

Examiner: McKelvey, T.

For: MOLECULAR SWITCH FOR  
REGULATING MAMMALIAN  
GENE EXPRESSION

Attorney Docket No.: 10989-004-999

## FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying preliminary amendment of even date herewith concerning the above-identified application has been estimated to be \$36.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		DATE	ADDIT. FEE	OR RATE	ADDIT. FEE
TOTAL	43	MINUS	41	=	2	x 9	\$ 36.00	x 18	\$
INDEP	2	MINUS	3	=	0	x 42	\$ 0.00	x 84	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						140	\$ 0.00	280	\$
						TOTAL	\$ 36.00	OR TOTAL	\$ 0.00

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.  
A copy of this sheet is enclosed.

Respectfully submitted,

By: Lawrence S. Graham Reg. No. 49,020

Adriane M. Antler 32,605

Adriane M. Antler

(Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of Americas  
New York, N.Y. 10036-2711  
(212) 790-9090

Date November 6, 2002

Enclosure

## CERTIFICATION OF FACSIMILE TRANSMISSION

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Examiner: McKelvey, T.

For: MOLECULAR SWITCH FOR  
REGULATING MAMMALIAN GENE  
EXPRESSION

Attorney Docket No.: 10989-004-999

#18/B  
Zeta  
11-12-02PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.115Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.115, please enter the following amendments to the specification and consider the following remarks in connection with the above-identified application. Applicants submit concurrently herewith: (1) Exhibit A: marked version of the paragraphs in the specification that have been amended; (2) Exhibit B: marked version of the amended claims showing changes made; (3) Exhibit C: clean version of the pending claims, as amended; and (4) an Amendment Fee Transmittal (in duplicate), accompanied by the appropriate fee.

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By: Lawrence S. Graham Reg. No. 99,020

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